

Amendments to the Drawings:

The attached drawing sheet of includes changes to the sole Figure (Fig. 1). This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. In Fig. 1, previously omitted corresponding labels have now been added to the drawing for identification purposes.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Claims 13-24 are pending in the application.

A replacement sheet of the drawing is enclosed to address the objection that the drawings do not include appropriate labels for each block in the drawing.

The Examiner is thanked for the indication that claims 14 and 19-24 would be allowable. However, in view of the following comments, it is respectfully submitted that all of claims 13-24 should now be allowable.

The Examiner has rejected claims 13 and 15-18 under 35 USC 102 (e) as being anticipated by Ciezki. Applicant respectfully submits that this reference is overcome by the following:

First of all, the §371 date of Ciezki is June 23, 2003, which is only subsequent to applicant's effective filing date (the corresponding PCT application filing date of 20 March 2003), pursuant to MPEP 1893.03(b). Ciezki is not entitled to its PCT filing date because the PCT application was not published in the English language (see 35 USC 102 (e) (2)).

Furthermore, applicant's date of invention is also prior to both the April 11, 2002 PCT publication date and the 21 March 2002 publication date of the foreign application upon which Ciezki was based. To perfect applicant's claim for an earlier invention date, enclosed are two declarations pursuant to MPEP Sections 706.02(b) and 715.

In particular, the declaration by the inventor, Rainer Hoffman, indicates a date of conception of on or before 25 January 2002. A copy of the written disclosure sent to his patent attorney, Dr. Carl-Ernst Müller, on that date is attached to Mr. Hoffman's declaration.

The second declaration is from Mr. Hoffman's German patent attorney, Karl-Ernst Müller. Dr. Müller indicates that on 07 March 2002 he mailed a completed application to Mr. Hoffmann, with this application disclosing in detail all of the features of claim 13 of the instant application. The German application was then filed on 26 March 2002.

Thus, not only was the date of invention earlier than the publication date of the Ciezki priority application, but a complete draft disclosing in detail all of the features of applicant's German priority application, which was identical to applicant's subsequent PCT application (the literal translation of which was filed on September 24, 2003), was mailed to applicant on 07 March 2002, namely prior to the 21 March 2002 publication date of the Ciezki priority application.

In view of the foregoing evidentiary evidence, applicant respectfully submits that the subject matter of the present application was invented prior to the 21 March 2002 publication date of the Ciezki priority application. Therefore, it is respectfully submitted that the rejections under 35 USC 102(e) as well as 102(a) have been overcome, and that all of claims 13-24 are now in condition for allowance.

Applicant has attempted to be fully responsive to the Office Action. However, should the Examiner have any further comments or suggestions, the undersigned

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would very much welcome a telephone call from him in order to expedite placement of the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert - Becker", with a stylized flourish at the end.

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Attachments



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FIG. 1

